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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/002,295 | 11/20/2001 | Romeo E. Elias | | 2143 |
| 7590 | 05/20/2005 | | EXAMINER | |
| Thierry K. Lo Thelen Reid & Priest LLP P.O. Box 640640 San Jose, CA 95164-0640 | | | HWANG, JOON H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2162 | |

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/002,295 | ELIAS ET AL. | |
| | Examiner | Art Unit | |
| | Joon H. Hwang | 2162 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 December 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The applicants amended claims 1-2 and added new claims 3-15 in the amendment received on 12/14/2004.

The pending claims are 1-15.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-8, and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stier et al. (U.S. Patent No. 6,591,258) in view of Reddy (U.S. Patent No. 6,629,096).

With respect to claim 1, Stier discloses obtaining existing knowledge (knowledge objects and records) in a predetermined format of selected information domain (line 50 in col. 3 thru line 4 in col. 4, line 61 in col. 7 thru line 20 in col. 8, line 61 in col. 23 thru line 17 in col. 24, and lines 37-46 in col. 24) concerning capturing existing knowledge in a predetermined format of selected information categories. Stier discloses a structure

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of records and a format of records (lines 43-51 in col. 9, lines 38-50 in col. 14, lines 55-63 in col. 15, lines 56-60 in col. 43, and figs. 8-10). Stier discloses incorporating the obtained knowledge into knowledge objects and records having elements of information including links between related information (lines 61-34 in col. 2, line 50 in col. 3 thru line 4 in col. 4, lines 30-36 in col. 24, fig. 1b, and fig. 25). Stier discloses acquiring new knowledge (line 61 in col. 2 thru line 19 in col. 3 and lines 39-54 in col. 6). Stier discloses capturing the new knowledge in the predetermined format (line 61 in col. 2 thru line 5 in col. 3, lines 43-51 in col. 9, lines 38-50 in col. 14, lines 55-63 in col. 15, lines 56-60 in col. 43, lines 26-40 in col. 46, and figs. 8-10). Stier discloses updating the knowledge base (database) to include the new information and links between the new information and related information (lines 32-49 in col. 3, lines 25-37 in col. 14, lines 35-54 in col. 15, lines 64-67 in col. 24, and lines 36-45 in col. 26). Stier discloses making decisions for how to organize the information that is going to be stored in the knowledge base system (lines 53-60 in col. 7). Stier discloses a spreadsheet in the knowledge base for organizing and recording knowledge objects and records (lines 18-25 in col. 25, lines 49-61 in col. 38, and lines 16-29 in col. 46), wherein the spreadsheet can organize information in an indexed way. Stier does not explicitly disclose knowledge information grouped in a plurality of workflows. However, Reddy discloses knowledge information grouped in a plurality of workflows of business tasks (lines 21-36 in col. 2, lines 21-43 in col. 5, and lines 25-40 in col. 8) in order to make strategic business decisions of a particular business task. Therefore, based on Stier in view of Reddy, it would have been obvious to one having ordinary skill in the art at the time the invention

was made to utilize the teaching of Reddy to the system of Stier in order to make strategic business decisions of a particular business task.

Claim 2 is essentially the same as claim 1 except that it sets forth the claimed invention as a system rather than a method and rejected for the same reasons as applied hereinabove.

With respect to claim 3, Stier teaches identifying the most critical element of the new knowledge (line 61 in col. 3 thru line 4 in col. 4).

With respect to claim 4, Reddy further teaches the existing knowledge and the captured knowledge include a plurality of workflows (lines 21-43 in col. 5). Therefore, the limitations of claim 4 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 5, Reddy further teaches each of the workflow includes a sequence of steps, wherein each step is linked to at least one other step in chronological or logical manner (lines 21-43 in col. 5). Therefore, the limitations of claim 5 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claims 7-8, Reddy further teaches the existing knowledge and the new knowledge include a plurality of human-based process including business and management processes (lines 21-36 in col. 2, lines 21-43 in col. 5, and lines 25-40 in col. 8). Therefore, the limitations of claim 7 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 10, Reddy further teaches remotely accessing the indexed database via a network of computers (line 57 in col. 4 thru line 43 in col. 5) in order to

provide a flexibility of system access to a user. Therefore, based on Stier in view of Reddy, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Reddy to the system of Stier in order to provide a flexibility of system access to a user.

With respect to claim 11, Reddy further teaches applying the knowledge to a (business) task and tracking progress on the task (lines 30-45 in col. 6 and lines 36-58 in col. 11). Therefore, the limitations of claim 11 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 12, Reddy further teaches annotating the new knowledge (lines 46-60 in col. 6). Therefore, the limitations of claim 12 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

With respect to claim 13, Stier teaches setting up a plurality of criteria associated with the new knowledge, the plurality of criteria modifying the links between the new information and related information based in the plurality of criteria (lines 20-49 in col. 3).

With respect to claim 14, Reddy further teaches the indexed database includes fields defined by the captured knowledge and the new knowledge (fig. 5, fig. 9 and fig. 11).

The limitations of claim 15 are rejected in the analysis of claims 1 and 14 above, and the claim is rejected on that basis.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stier et al. (U.S. Patent No. 6,591,258) in view of Reddy (U.S. Patent No. 6,629,096), and further in view of Powers et al. (U.S. Patent No. 6,513,027).

With respect to claim 6, Stier and Reddy disclose the claimed subject matter as discussed above except knowledge in a hierarchical tree. However, Powers teaches knowledge in a hierarchical tree (abstract and fig. 4) in order to improve on indexing. Therefore, based on Stier in view of Reddy, and further in view of Powers, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Powers to the system of Stier in order to improve on indexing.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stier et al. (U.S. Patent No. 6,591,258) in view of Reddy (U.S. Patent No. 6,629,096), and further in view of Sferro et al. (U.S. Patent No. 6,230,066).

With respect to claim 9, Stier and Reddy disclose the claimed subject matter as discussed above except human-based processes includes engineering processes. However, Sferro teaches human-based processes includes engineering processes for the existing knowledge and the new knowledge (lines 45-67 in col. 1 and lines 16-30 in col. 3) in order to converge on improved engineering design functions. Therefore, based on Stier in view of Reddy, and further in view of Sferro, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Sferro to the system of Stier in order to converge on improved engineering design functions.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joon Hwang 
Patent Examiner
Technology Center 2100



JEAN M. CORRIELUS
PRIMARY EXAMINER

5/13/05